

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUN 18 2007

MARIO GARIBALDI-LOPEZ  
V.

at 3 o'clock and 10 min. P. M  
SUE BEITIA, CLERK

UNITED STATES OF AMERICA,

CR.# 03-0111SOM

PETITIONER'S MOTION FOR APPOINTMENT OF COUNSEL

Pursuant to 28 U.S.C. §1915(e)(1), petitioner move for an order appointing counsel to represent him in this case. In support of this motion, petitioner states;

- 1) Petitioner cannot afford to hire a lawyer, as he proceed pro Se in this case.
- 2) The issues in this case are complex. A lawyer would help petitioner to apply the law properly in briefs, and before the court. Petitioner has never before litigated as a party to a civil legal proceeding, and in this instant proceeding, a jail house lawyer prepared petitioner 2255 motion, but is no longer available to assist petitioner.
- 3) This Honorable Court have ordered that an evidentiary hearing be held on the petition for August 20, 2007 at 9:00 a.m.
- 4) Further, this Honorable Court have ordered that the government's responsive memorandum be received by 7/13/07, with petitioner's reply memorandum by 8/10/07.
- 5) Petitioner imprisonment will limit any further litigation of this of this case, where petitioner is not a native of American, and the legal library here does not have any Spanish Law books.
- 6) Petitioner would hire a private attorney but is unable at this time to do so due to lack of finances.
- 7) Therefore, petitioner prays that this Honorable Court appoint counsel to assist him from here on.

Respectfully Submitted:

  
Mario Garibaldi-Lopez

CERTIFICATE OF SERVICE

I, Mario Garibaldi-Lopez, pro Se, petitioner herein, hereby swear that on this 14 day of June, 2007 I cause to be mailed a true and correct copies of this petition for "Appointment of Counsel, to all parties names herein below:

Edward H. Kubo, Jr.  
United States Attorney  
And  
Michael K. Kawahara  
Assistant U.S. Attorney  
Room 6100, PJKK Federal Building  
300 Ala Moana Blvd.  
Honolulu, Hawaii 96850

/s/ Mario Garibaldi-Lopez  
Mario Garibaldi-Lopez  
Reg.# 84955-022  
FCI Medium  
P.O.Box 90043  
Petersburg, Va. 23804